

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

FILED
MAY 16 2025
AT 8:30
CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES OF AMERICA : HON. J. BRENDAN DAY
:
v. : 25-mj-5027 (JBD)
:
ALEXANDER GUTIERREZ : **CRIMINAL COMPLAINT**


I, Justin Notarfrancesco, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A


I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.


Justin Notarfrancesco
Special Agent
Federal Bureau of Investigation

Special Agent Justin Notarfrancesco
attested to this Affidavit on this ____ day
of May 2025 in Trenton, New Jersey.


Honorable J. Brendan Day
United States Magistrate Judge

ATTACHMENT A

(Dealing Firearms Without a License)

From at least in or around October 2024 through in or around December 2024, in Mercer County, in the District of New Jersey and elsewhere, the defendant,

ALEXANDER GUTIERREZ,

not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms.

In violation of Title 18, United States Code, Sections 922(a)(1)(A), 923(a) and 924(a)(1)(D).

ATTACHMENT B

I, Justin Notarfrancesco, am a Special Agent with the Federal Bureau of Investigation. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Because this Affidavit is being submitted for a limited purpose, I have not set forth every fact that I know concerning this investigation. Where the contents of documents and the actions and statements of others are reported herein, they are reported in substance and in part, except where otherwise indicated. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. Federal law enforcement, including the FBI, has been investigating Alexander Gutierrez ("Gutierrez") for the suspected commission of, *inter alia*, unlawful firearm sales.

2. A federal firearms license ("FFL") is required for any individual or business to operate as a dealer, importer, or manufacturer of firearms. The Federal Firearms Licensing Center, an arm of the ATF, processes FFL applications and maintains the Firearms Licensing System, which contains records regarding approved FFLs. Based on law enforcement's queries of the Firearms Licensing System, Gutierrez has not received an FFL, and he is accordingly not licensed as a dealer, importer, or manufacturer of firearms.

October 15, 2024 Firearm and Ammunition Transaction

3. On or about October 15, 2024, law enforcement conducted an audio-recorded controlled purchase of a firearm from Gutierrez utilizing a Confidential Informant ("CI") in Trenton, New Jersey. Before the transaction, the CI and Gutierrez organized and confirmed the transaction through telephonic communications.

4. The CI met Gutierrez and Co-Conspirator-1 at a residence located on South Clinton Avenue in Trenton, New Jersey. There, Co-Conspirator-1 showed the CI the firearm for sale. The CI paid \$1,000 to Gutierrez, who, in turn, handed the money to Co-Conspirator-1. Then Co-Conspirator-1 gave the CI a .38 caliber Colt Police Positive Special handgun bearing serial number 263463 ("Colt 263463"), loaded with six rounds of .38 caliber ammunition, and Gutierrez gave the CI an additional 29 rounds of .38 caliber ammunition for the firearm. The CI remained in the residence for a few minutes before departing. The CI was equipped with a covert audio recording device that recorded the transaction.

5. Upon inspection, law enforcement determined that the Colt 263463 appears to be designed to expel, and is capable of expelling, a projectile.

6. In addition, the Colt 263463 was manufactured outside the State of New Jersey, and thus traveled in interstate commerce prior to Gutierrez having possession of it in New Jersey on or about October 15, 2024.

December 12, 2024 Firearm and Ammunition Transaction

7. On or about December 12, 2024, law enforcement conducted an audio-recorded controlled purchase of a firearm from Gutierrez utilizing the CI in Trenton, New Jersey. Before the transaction, the CI and Gutierrez organized and confirmed the transaction through telephonic communications, including Gutierrez sending the CI pictures of the handgun and ammunition available for sale. Gutierrez stated that he also had a box of ammunition for the handgun that he would provide the CI. Ultimately, the CI and Gutierrez agreed that the CI would pay Gutierrez \$1,300 in exchange for the handgun, ammunition, a gun lock, and two magazines.

8. In the vicinity of a predetermined location on Centre Street in Trenton, New Jersey, the CI and Gutierrez met. There, the CI entered Gutierrez's vehicle and Gutierrez drove them to a nearby driveway where he sold the CI a Taurus G3C 9x19 handgun bearing serial number AEE431546 ("Taurus AEE431546"), two magazines each containing 12 rounds of 9mm ammunition, and a box containing 30 rounds of 9mm ammunition in exchange for \$1,300. The CI and Gutierrez discussed the possibility of Gutierrez obtaining additional firearms from his supplier for future sales to the CI before the CI exited Gutierrez's vehicle and departed the vicinity. The CI was equipped with a covert audio recording device that recorded the transaction.

9. Law enforcement has confirmed the operability of the Taurus AEE431546.

10. In addition, the Taurus AEE431546 was manufactured outside the State of New Jersey, and thus traveled in interstate commerce prior to Gutierrez having possession of it in New Jersey on or about December 12, 2024.

11. Later on December 12, 2024, Gutierrez informed the CI that he was working to potentially obtain a large order of firearms to re-sell in the Trenton area.

December 17, 2024 Firearms and Ammunition Transaction

12. On or about December 17, 2024, law enforcement conducted an audio-recorded controlled purchase of firearms from Gutierrez utilizing the CI

in Trenton, New Jersey. Before the transaction, the CI and Gutierrez organized and confirmed the transaction through telephonic communications, including Gutierrez sending the CI pictures of four handguns available for purchase. The CI and Gutierrez agreed that the CI would pay Gutierrez \$1,200 for each handgun.

13. In the morning of December 17, 2024, the CI entered Gutierrez's vehicle at a predetermined location on South Clinton Avenue in Trenton, New Jersey. Thereafter, Gutierrez drove them to the vicinity of a business on Whittaker Avenue in Trenton, New Jersey. Gutierrez informed the CI that he needed to exit the CI's vehicle to obtain the firearms and then departed. Upon returning to the CI's vehicle, GUTIERREZ provided the CI (1) a Glock 22 .40 caliber handgun bearing serial number CNW996US ("Glock CNW996US"); (2) a Glock 19 9mm handgun bearing serial number BWSH562 ("Glock BWSH562"); (3) a Taurus G3 handgun bearing serial number ABN363069 ("Taurus ABN363069")¹; (4) a Star Ultrastar handgun with barrel marked "9x19" bearing serial number 2126434 ("Star 2126434"); and (5) 13 rounds of 9mm ammunition. The CI paid a total of \$4,800 to Gutierrez for the firearms. Gutierrez informed the CI that from the total \$4,800 paid by the CI, \$4,000 would be provided to Gutierrez's gun supplier and the remaining \$800 would be profit kept by Gutierrez. After the transaction, the CI departed the location in a taxi. The CI was equipped with a covert audio recording device that recorded the transaction.

14. Law enforcement has confirmed the operability of the Glock CNW996US, Glock BWSH562, Taurus ABN363069, and Star 2126434.

15. In addition, the Glock CNW996US, Glock BWSH562, Taurus ABN363069, and Star 2126434 were manufactured outside the State of New Jersey, and thus traveled in interstate commerce prior to Gutierrez having possession of them in New Jersey on or about December 17, 2024.

¹ The upper piece of the Taurus ABN363069 that slides or reciprocates along the top of the frame when the firearm is fired, commonly referred to as the "slide," displayed a partially obliterated serial number that appeared to be 1363069 when law enforcement recovered the handgun. The lower portion of the Taurus ABN363069, which contains the frame and grip, displayed a fully obliterated serial number when law enforcement recovered the handgun. Through testing and examination, commonly referred to as "raising," law enforcement has concluded the partially obliterated serial number on the slide and the fully obliterated number on the lower portion of the firearm each are ABN363069.